

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED

2008 APR 29 A 11:43

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

10
JF
13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 DAVID HINKEL,

17 Defendant.

No. 07-00675

-JF

VIOLATION: 18 U.S.C. §§ 1029(a)(1) &
(c)(1)(A)(i) - Fraud in Connection with
Access Devices

SAN JOSE VENUE

SUPERSEDING INFORMATION

19 The United States Attorney charges:

20 Beginning in or about April 2004 through in or about May 2005, in the Northern District of
21 California, the defendant,
22

23 DAVID HINKEL,

24 did: (1) knowingly use one or more counterfeit access devices; (2) with the intent to defraud; and
25 (3) such conduct affected interstate commerce.

26 //

27 //

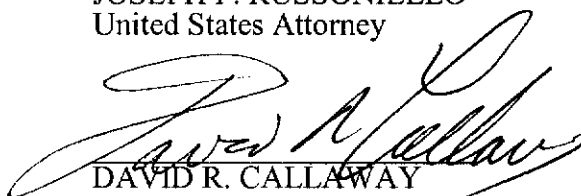
28 //

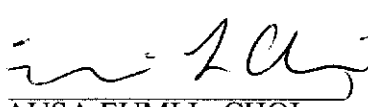
INFORMATION

1 All in violation of Title 18, United States Code, Sections 1029(a)(1) and (c)(1)(A)(I).

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3
4 DATED: 4/25/2008

JOSEPH P. RUSSONIELLO
United States Attorney

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8 DAVID R. CALLAWAY
Deputy Chief, San Jose Office

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10 (Approved as to form: 
11 AUSA EUMIL L. CHOI

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INFORMATION

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED
 Title 18, U.S.C. §§ 1029(a)(1) & (c)(1)(A)(i) -
 Fraud in Connection with Access Devices

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 10 years imprisonment, \$250,000 fine,
 3 years supervised release, \$100 special assessment fee
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

U.S. Postal

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

 Name and Office of Person
 Furnishing Information on
 THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

EUMI CHOI

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

 DEFENDANT - U.S. **FILED**
 2008 APR 29 11:43

 DAVID HINKEL RICHARD W. WIEKING
 CLERK
 U.S. DISTRICT COURT
 NO. DIST. OF CA. S.J.
DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☒ Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

 Has detainer
 been filed?

☐ Yes
☐ No

 If "Yes"
 give date
 filed

 DATE OF
 ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

 DATE TRANSFERRED
 TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: